

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, *et al.*, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

DONALD TRUMP, President of the United
States, *et al.*,

Defendants.

No. 2:17-cv-00094-RAJ

ORDER

This matter comes before the Court *sua sponte*. On July 22, 2020, this Court held a telephone conference with the parties to discuss outstanding discovery disputes detailed in the parties' supplemental briefings. Dkt. ## 378 (Plaintiffs' supplemental briefing), 383 (Defendants' responsive briefing). Having considered the parties' briefs and oral arguments, the Court **ORDERS** as follows:

- (1) The center of dispute between the parties is the scope of what should be produced from the five A-Files, and the Defendants have represented there may be thousands of pages of documents contained within the files. The Court is amenable to an in-camera review of the A-Files, and the parties are directed to meet and confer to narrow the scope of the A-File review. Based upon the parties' submission, the Court will make a final determination of whether it will take a random selection of the A-Files or review the entirety of what the parties have recommended. The parties have agreed and stipulated that there

are 31 policy documents. Again, the parties are directed to meet and confer to provide an indication of the scope of the documents suggested for in-camera review. The parties have agreed to provide the narrowed scope of documents to the Court by August 5, 2020.

- (2) The Court **DENIES** Plaintiff's request to subpoena third agencies as untimely. The deadlines set by the Court have passed and it will not revisit that topic. Dkt. # 280.
- (3) The Attorneys' Eyes Only Protective Orders (Dkt. ## 183, 192) are sufficient and the Court is not convinced that, based upon the record, there is any reason to modify or revise what was previously approved.
- (4) With respect to Defendants' clawback requests, if Defendants believe they have a basis, they need to file a motion.
- (5) The Court reserves further decisions pending its decision on the requested in-camera document review.

Dated this 24th day of July, 2020.

A handwritten signature in black ink, reading "Richard A. Jones", written over a horizontal line.

The Honorable Richard A. Jones
United States District Judge